

Citizens And Reps Discuss Provo River Access Issues

16 July 1987

by Sonni Schwinn

Summer is the season for reruns and last week's discussions about fishermen's access to Provo River in Wasatch County followed the tradition. About 35 landowners filed into the Wasatch County Courtroom to meet with state agency representatives, expecting the 10-year-old issues finally to be settled. Instead, all the same questions, arguments, proposals and defenses were rerun.

One thing was new. State Representative and House Speaker Glen Brown, State Senator Alarik Myrin and State Representative Beverly Evans, all of whom represent Wasatch County, sat at the head table and heard the discussions first hand. If nothing else was accomplished, at least they were made aware that the longstanding stalemate can't be easily negotiated into a compromise.

The problem is complicated. Jordanelle Reservoir will inundate several miles of present fishing along the Provo River. Kirt Carpenter, chief of the Provo office of the Bureau of Reclamation, explained that loss can't be considered replaced by the additional boat fishing the

reservoir will provide. Stream fishing must be mitigated with stream fishing. The Bureau has designated that mitigation along the Provo River between the Jordanelle Dam and Deer Creek Reservoir.

The plan is to provide four access points along the river corridor for parking, bathrooms, cleaning fish, etc. Ten to 15 feet on each side of the river would be designated as access, possibly as easements purchased by the state, to provide paths for fishermen on foot.

However, the property owners along that 10-mile stretch don't want to lose their privacy or any of their property rights so that people can fish. Many have conceded to the Bureau's request that they voluntarily allow access across their properties. They don't want to be responsible for cleaning up the trash that can reasonably be expected to accumulate and they are worried about law enforcement in case of drinking parties, gun incidents and other infractions which they can't govern themselves.

Wasatch County representatives emphasize that the

county's budget crunch prohibits them from assuming any additional responsibilities. Commissioner Larry Duke pointed out that the county's population increases from 9,000 to as many as 30,000 during summer weekends, as Wasatch Front visitors enjoy the Heber Valley, particularly the state park facilities.

Every state agency that could potentially manage, maintain or police the river also pleads poverty. Department of Natural Resources spokesman, Dee Hansen, said conservation officers probably could be available to "help" keep order. But he refused to make any commitment without first being sure funds were available.

It's a complicated problem that hasn't changed noticeably in 10 years. Perhaps, as one landowner pointed out, because the dam has never before been a reality. However, construction of the dam has begun. The reservoir will begin to fill in five years.

A motion was made by one landowner to keep things exactly as they are now, allowing fishing but without
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Route A: Heber's Lifeline

9-3-87

The whole Route A saga has made one thing painfully clear: that when left to its own devices the state and national government care very little about the fate of Wasatch County. This has been proven time after time, and last Tuesday's Central Utah Conservancy meeting was just a variation on this same theme. In fact, it left us so disgusted, that for a while we considered advocating that Wasatch County secede from the Union.

In this meeting, Wasatch County Commissioners hoped to deliver convincing arguments on the need for a 50 mph road connecting Kamas and Heber City, but instead found itself on the receiving end of two "bombshells."

Kirt Carpenter, chief of the Bureau of Reclamation, Provo Office, announced that the contract to complete U.S. 40 includes constructing Route C. This announcement basically precludes the possibility of Wasatch County getting any concessions for Route A. Then to add insult to injury, Carpenter stated that the \$12 million saved during the first phase of U.S. 40 relocation could not be used for upgrading Route A, but would be diverted to building a tunnel to move water from Strawberry Reservoir to the Wasatch Front.

Carpenter neatly avoided the political fallout from these "bombshells" by passing the buck to the Utah Department of Transportation, saying that the BOR had no control over what type of road will be built.

Route A, connecting Heber City and Kamas is the most critical project facing the Heber Valley business community. It has been estimated that retail merchants will lose 15-20 percent of its business if the road is built to only 35 mph standards. Any potential benefits from Jordanelle will be offset by this loss if we don't get the road we need.

At press time the commissioners will be meeting with UDOT. It is our hope that a commitment will be made to support a 50 mph road and to begin it immediately, by either diverting the savings from the original U.S. 40 estimate; or by recognizing that Route A replaces Highway 189 not Route C—which makes it unnecessary to spend an entire \$23 million on Route C, a proposed super highway that has questionable importance. But looking at past treatment by this agency it causes us to be skeptical.

The next step for the commissioners will be a meeting with Governor Norm Bangerter. Now is the time for residents and businessmen alike to pressure UDOT and the governor for the county's Route A. If you are a person that writes only one letter a year, or makes only one political phone call a year this is the issue deserving of your time. You can write the governor's office at 210 State Capitol Building, SLC, Utah, 84114, or UDOT Commissioner Wayne Winters, or Gene Findlay at 4501 South, 2700 West, SLC, Utah, 84119.

Route A contract receives approval

Page 36 — THE HERALD, Provo, Utah, Thursday, May 19, 1988

By SONNI SCHWINN

Heber City Correspondent

HEBER CITY — Wasatch County's contract with the Utah Department of Transportation (UDOT) for the construction of Route A, between Heber City and Kamas, was signed Monday, with two changes demanded by the county, according to County Transportation Commissioner Pete Coleman.

Also, during last week's commission meeting, Chairman Loren Allred reported that some of the owners of property required for Route A right-of-way are considering donating the parcels that are needed.

One of the clauses the county objected to would have required the county to pay any construction costs that exceeded \$11 million, the amount budgeted by the U.S. Bureau of Reclamation. Coleman said the clause has been changed to require the county only to assist in locating and acquiring funds if the construction goes over budget. He said that obligation wouldn't be a problem because UDOT and Central Utah Project representatives have already agreed to provide money from their budgets.

The other stated that "the local agency", Wasatch County, agreed to maintain the road. He said that was changed to read, "The road will be properly maintained by the county until the jurisdiction is resolved."

"That will be soon," he said.

Although all references to Route A call it a county road, Coleman has insisted it will be a state road.

He explained that he participated in a \$350,000 need study, sponsored by UDOT, during the past year and a half. He said he made sure that a road becomes a state road if it "goes into two counties, there is a certain amount of traffic, it goes to a recreational area and connects points where the population at either end is 1,000."

The recommendations of the study were approved during the Road School held in Price last week for city, county and state representatives.

He said that in spite of the fact that UDOT continues to refer to Route A as a county road, "They know that I know. They don't like to admit it in a meeting, but privately they know."

Bidding for the contract to construct the road, parallel to the Southern shore of Jordanelle Reservoir, will begin in about a month and construction will begin by the end of summer. It is scheduled to be completed in Fall 1989, at the same time as Route C, North of the reservoir, and two lanes of the new U.S. Highway 40. As soon as traffic is diverted to the new roads, final construction of the Jordanelle Dam will begin. The present U.S. 40 crosses through the future damsite and along the bottom of the reservoir.

Route A Construction Begins, Finally! U.S. 189 Next

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1-89 through Parley's Canyon, he said, "I'd rather drive to Salt Lake than Provo. I do have a little time to look at some of the mountains in Parley's Canyon, driving on the

8-17-86

freeway."

He said he was also confident on the Route A issue, even when he had no reason to be. "I look an arrogant attitude," he admitted.

Editorial Page

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Letters

Letters To The Editor is a column for the public to voice their opinion. Letters To The Editor must be submitted prior to MONDAY NOON, and must bear the signature, full name and address of the writer. Names may be withheld on request. Writers are limited to one letter in two weeks. Please no endorsement letters. Preference will be given to short, typewritten (double spaced) letters permitting the use of the writer's name. All letters subject to condensation. Mail to: EDITOR, P.O. BOX 125, HEBER CITY, UT 84032.

Provo River Landowners Preparing Proposal For Parkway

Private citizens were invited to ask questions and comment on the new plans for managing the Strawberry lands in the Utah National Forest, the afternoon of Oct. 18, at U.S. Forest Service offices in Wasatch and Utah Counties. The Wasatch office reported several people stopped by to discuss the plans but none had any objections to it.

The Strawberry project and recreation lands, located in Wasatch County, were transferred from the U.S. Bureau of Reclamation to the Forest Service on Oct. 16. The new agreement also turned over to Utah National Forest management an additional 56,775 acres surrounding Strawberry Reservoir and established a new Forest boundary east of Strawberry. The lands has previously been managed by Strawberry water users.

The Draft Environmental Impact Statement, now being prepared for the area, is expected to be completed by this Nov. 30, and the final Environmental Impact Statement is scheduled to be completed by next March 15.

Written comments to be considered in the development of the environmental studies are welcome until Oct. 31 at any of the U.S. Forest Service offices.

According to a fact sheet released by the Forest Service on October 1989, existing opportunities and regulations which have applied to the surrounding National Forest lands will now apply to the additional lands. Recreation will continue to be important, with the Forest Service providing opportunities on designated roads and trails, consistent with Utah National Forest management.

Congress has appropriated funds to improve fishery and wildlife, which will continue to be a priority.

Grazing resources and using livestock as a management tool is still to be evaluated, but future grazing permits will be subject to first right of refusal by Strawberry Water users.

Information on resources, opportunities and management strategies will be available at the Strawberry Visitor Center, along with exhibits, beginning next spring.

An explanation of the new management plan, along with lists of the projects that are scheduled to be completed during the next several years, and planned fishery and wildlife improvements, is available at the Heber Forest Service Office, 125 East 100 North.

Landowners Make New Proposals For Parkway

20 Dec 1989

The Wasatch County Jordanelle Parkway Task Force last week presented its proposals for the Jordanelle Parkway, along the Provo River between Jordanelle and Deer Creek Reservoirs, to landowners with property on the river.

The parkway will be developed by the U. S. Bureau of Reclamation to mitigate river fishing lost because of some of its projects, including the Jordanelle Reservoir. Some of the task force members said they hadn't been able to get the Bureau to be specific about exactly which losses are being mitigated, but that it might include some fishing lost in the Strawberry Reservoir area.

Up until about a year ago, the Bureau threatened to condemn the private property it needed for the parkway if the property owners didn't voluntarily grant easements for public access. The Bureau also proposed a multi-use park that would permit a variety of activities, including kayaking and motorized vehicles.

However, the landowners objected vehemently and some Bureau officials have indicated they now agree the park should be developed for blue-ribbon, fly fishing only.

Besendorfer organized the task force last summer, made up of property owners who will be effected, to prepare a formal proposal

to present to the Bureau. He said he was disappointed that only a handful of citizens attended the meeting to discuss the proposal.

"I guess some of them don't get too excited until the Bureau comes in and starts walking across their property and starts doing things...Maybe, if that happens, they'll all come out to a meeting and we'll get something accomplished," he told the group.

However, he assured them the Bureau "is listening to us" and asking what the citizens want. Then the group discussed each item on the proposal and accepted most of them as written.

Most of the landowners said they would prefer to grant easements than to let the Bureau condemn their land and take total control. They are afraid the park would be opened up to the public for uncontrolled use and destroy the environment, the as well as the value of their adjoining property and their lifestyles.

They agreed with Besendorfer that easements would be "the lesser of two evils" but they also said they aren't yet ready to give in to the Bureau at all. Besendorfer and Paul Probst, a task force member, said they had consulted some attorneys and had reason to believe the property could not be condemned to mitigate fishing lost to the Jordanelle Project because fishing isn't the reason for the project. However, Probst said the issue would probably have to be decided by a judge.

Robert Peterson, said the State is responsible for helping to protect property owners' rights. He said the landowners shouldn't just offer the easements without the Bureau having to justify that the parkway is necessary for the public good, being specific about what it is mitigating, and naming the statutes justifying condemnation.

Wasatch County Sets New Vehicle Policies

The Wasatch County Commission has approved policies for employee use of county-owned vehicles, including those issued to the Sheriff's office. One item recommended for the sheriff's office was tabled and will be considered after further review and investigation into policies in other counties.

Sheriff Edd Thacker vehemently objected to the item which said, "While off duty there will be no civilian passenger, or family member in the vehicle with [a deputy]."

Officers would be allowed to use the vehicles for personal use while off-duty, however, to increase visibility and so they would be available to respond to serious emergencies. The policy does allow civilian "ride-alongs" after they sign a waiver of liability.

Chairman Moroni Besendorfer defended leaving the restriction in the policy, saying one of the biggest gripes from citizens has

been that deputies have been seen driving their children around in official vehicles, like to school. He also said the committee that had put the policies together, made up of representatives from the county departments, had discussed the issues in depth and concluded the restriction should be imposed.

But Thacker argued that even with civilians and family members in off-duty vehicles, the presence of the vehicles are a deterrent, wherever they may be in the county. Not only that, the deputies are always available to answer a call into service, no matter where they are or who may be with them. Therefore, the coverage, visibility and effectiveness of his department is significantly increased with his present policy of allowing civilian passengers, including children, in official vehicles, he said.

What's more, Thacker said com-

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Landowners Set

Policies...

20 Dec 1989

Although some of the landowners were confident that the Bureau would live up to signed agreements or covenants, others contended the Bureau can break any agreement it wants to. As an example, Cliff Jordan showed them a letter from the Bureau assuring him none of his property at the base of the dam would be needed for the Jordanville project. Based on that promise, he built an RV Park, south of the dam. However, he said the spillway in the dam is in the east side of the dam, rather than the west side, where it was originally supposed to be located. The spillway water will now cross his RV park so the Bureau is reneging on its promise, he said.

He also said there was a flood easement on his property and that he had no control over its use. He said if property is condemned, at least there must be fair compensation for both the value of the land and damages. Another citizen added that condemnation would force whatever agency takes over the parkway to maintain it.

The landowners generally agree that they must work together to protect their property rights, as well as the parkway environment. However, because there is a wide variation in the sizes of their properties, how they use their land, and the terrain along the river, each will have to work out individual details with the Bureau, whether they agree to easements or the Bureau condemns the property.

Although the owners want some control to prevent crowding and overuse of the parkway, no information is available on how many people can be expected per day during the different seasons. Since they need that information before

they can form a plan for controlling overuse, they will ask the Bureau to provide some estimates.

One of their major demands is that there must be written agreements for law enforcement, maintenance and garbage cleanup. The Project has agreed to pick up garbage in some areas, but the State Department of Parks and Recreation has said it can't afford to even help manage the property. The county commission has made it clear that the county cannot afford any responsibilities, either.

The task force also listed the following expectations:

- * The easements should extend no more than 25 feet beyond the edge of the water.
- There must be no more than the seven access points already owned by the Bureau.
- There must be locked gates, posted usage hours, and adequate parking and restrooms at all access points, and wash containers along the parkway.
- Activities must be limited to catch and release fishing.
- Live bait, camping, fires, motorized vehicles, hunting and shooting must be banned.
- Property owners must be exempt from most restrictions, to allow them to continue to use their land in the same way they do now, including the use of motorized vehicles and horses to manage their livestock.

The owners also object to having to pay property taxes on the easement they may turn over to public use.

Besendorfer said the Task Force would add the input of the citizens in the proposal before it is presented to the Bureau.

County Planner Studying Up on Wetlands Issues

Wave Wed 23 May 1990

Although protecting wetlands is not in county jurisdiction, the laws directly effect construction and development that encroaches on wetlands. Therefore, Wasatch County Planner Bob Mathis is trying to learn all he can about the subject.

He said he took on the self-educating project a few years ago when a couple had to answer to the U.S. Army Corps of Engineers for excavating to install a drain pipe across a wetlands in Midway. They were discovered as a result of a complaint that the Homestead Resort had drained a wetland in order to install its golf course.

Mathis has also learned that the corps will work with individuals building permits. But he cited a couple of specific cases that demonstrated it is more complicated and costly to tamper with wetlands and get caught later than to work with the corps from the beginning.

Therefore, Mathis's motive in learning about wetlands is so that the assessed value of property, and the City's tax assessment, not of proved, it would be 14 percent of If a 14 percent tax increase is approved, it will be adopted June 15. The Council can put together a balanced budget, without a tax increase, the budget in August. If approved the budget in August, the Council must hold a public hearing, then in order to raise taxes, the Council must hold a public hearing, then getting services are paying for it.

The law protecting wetlands was enacted in 1972. It was strengthened when Pres. George Bush signed an executive order, two years ago, directing all federal agencies to consider the impact of every federal project on wetlands. The order was to withhold federal money from funding any project that resulted in a net loss of wetlands.

Mathis said the importance of wetlands is not limited to wildlife that directly needs wetlands in order to survive.

He said Utah is the second most

landowners will meet next week to discuss the plan.

Mathis further explained that if the sprinkling system is installed, it will not be allowed to destroy wetlands. He said he wouldn't know specifically how the system could effect wetlands until the project is studied. But one possibility is that it could make it easier for farmers to drain wetlands and turn them into upland fields.

Under the Swamp Busters Act, there are special procedures for dealing with irrigation-induced wetlands, that are wetlands only because they are irrigated.

"As far as the Army Corps of Engineers is concerned, any wetlands vegetation is a wetland," said Mathis. "But they may allow special changes to take place, because it is not part of a natural wetland."

He said the federal people he had worked with were not hard to work with or unreasonable in their approach, although he had been told

his experience was the exception rather than the rule.

A representative of the Corps of Engineers will be addressing the Wasatch County Board of Realtors in June and Mathis has asked that he and the zoning administrators from the cities in the county be allowed to attend.

"All of those people have areas within their jurisdiction that could be protected. Even though none of us have any authority in this new area, it is important that we understand what the attitude is of the people that do, so that we don't issue permits ignorantly," he said.

Even so, he said it would be possible for a zoning administrator to miss a wetland location. He made it clear that he does not want to infer that he knows how to handle wetlands or will call in the corps to assist with building permits.

"I just want to understand it better," he said.

Reclamation bureau to buy Provo River property

By SONNI SCHWINN
Herald Correspondent

2-2-91
HEBER CITY — The Provo River Parkway Committee learned last week that the U.S. Bureau of Reclamation will begin to acquire property along the river this spring for a multi-use parkway between the Jordanelle Dam and Deer Creek Reservoir.

Wasatch County Commission Chairman Moroni Besendorfer, who owns property on both sides of the river and chairs the committee, told committee members \$2.5 million is included in the pending CUP funding bill for acquisition of land along the river and, according to some sources, the money is probably for property that is needed for the parkway. But he said enough money is available right now for the bureau to begin to buy up the property.

The landowners had hoped the bureau would settle for right of way across their properties so they

could have a say in what activities would be allowed and how the facility would be managed. But bureau officials say they definitely plan to purchase or condemn whatever they need for the park. Besendorfer said some of the people who own land along the river are anxious to sell as soon as possible, "at any price."

One of the committee members said the Jordanelle Project is not only a "big water grab," it also is a "big land grab."

The committee had proposed limiting activities along the parkway to blue ribbon fishing with no motorized vehicles allowed, which the bureau supports. But Jerry Miller, director of the State Division of Parks and Recreation, which will take over the parkway when it is completed, has made it clear it would not be worthwhile for the agency to manage it unless it is developed for multi-use.

The bureau says the parkway

must be built to mitigate stream fishing lost because of the Jordanelle Reservoir. However, the landowners dispute that explanation because all the land along the river in the Jordanelle basin was privately owned and not open for fishing by the public.

Besendorfer said he has asked the bureau many times to explain exactly what was being mitigated, but that he has never received a "straight answer."

Besendorfer reviewed the list of recommendations made by the committee regarding the parkway. They discarded those that Besendorfer said there would be no point in fighting for because of decisions the bureau had already made. He said there is no hope that they can expect to participate in the parkway management.

The committee still hasn't given up on the following goals for the parkway:

- quality fishing and recreation

with minimal negative impact on the landowners

- limit the parkway easement to 25 feet from the edge of the water or to terrain that would discourage trespassing onto private property

- no more than seven access points

- ban all motorized vehicles except what the landowners need to manage livestock

- provisions for moving livestock across the river when it bisects farms

- adequate parking, restrooms and routine garbage pickup

- fencing and gates to protect and provide access to private property

- no hunting or shooting
- no fires, or camping except on designated campgrounds

- catch-and-release fishing with artificial lures only

- full-time law enforcement and annual weed and pest control.

Director balks at waiting for Heber water studies

By SONNI SCHWINN
Herald Correspondent

HEBER CITY — The director of the State Department of Natural Resources, Dee Hansen, doesn't want to wait for the Heber Valley water studies to be completed before planning and building a recreational parkway along the Provo River.

The parkway is to be built between Jordanelle Dam and Deer Creek Reservoir, according to Wasatch County Planning Director Bob Mathis.

Mathis told the county commissioners recently he met with Hansen and the executive council that is planning the parkway. He said the council agreed to work with the county on the natural resources section of the county's new master plan.

About 75 percent of the county is owned by federal and state agencies. All have been asked to cooperate in a coordinated resource management plan that would be-

come part of the county's master plan. Studies of water management, quality and quantity in the valley, including a proposed valley-wide irrigation sprinkling system, are now beginning and will be funded by the Central Utah Project. A funding bill now pending in Congress.

The county commission wants planning for the parkway, which will affect irrigation water users, to be put on hiatus until the water studies are completed.

But Mathis said Hansen apparently sees that request as a way to slow down the planning process.

David Wilson, county water consultant, said Hansen wants the plans to "go ahead full bore" and that some of the council members feel the same way. He and Mathis reported that Hansen left the meeting during their discussion and returned later. Wilson said he thought some of the county officials' comments about the parkway and their objections to some of the

proposed plans "have got back to him, and he's not happy with them."

However, Wilson said council members reported that Hansen voted for participating in the coordinated resource management plan. Mathis said Hansen also agreed that the parkway design should be part of the plan but doesn't want the parkway project to be slowed down. He added that Hansen didn't seem very sympathetic about the problems the parkway could cause for livestock owners who have rights to divert river water.

In Wilson's opinion, Hansen wants to rush the parkway project because it is being funded by the U.S. Bureau of Reclamation, as stream fishing mitigation in the Jordanelle Dam project, and the money is available now. He explained that a provision in the CUP bill will put the Central Utah Water Conservancy District in charge of finishing the Jordanelle project, so the parkway planners want to get

the project going before the bureau loses some of its authority to the district.

At Mathis's recommendation, the commissioners said they would meet with Hansen to discuss the issues.

Wilson explained that the coordinated resource management plan is beginning by taking an inventory of all the water sources in the county, and identifying the goals and objectives of all the government landowners. The options open to the county will then be identified and private landowner's will be invited to list their needs and wants. The ultimate goal, he said, is to coordinate all the agencies' activities before making final decisions for the master plan.

"It just makes for good management," he said.

County Commission Chairman Moroni Besendorfer said, "Pulling all these people together will be to the advantage of everybody."

DPR still plans Provo River parkway in Wasatch County

By SONNI SCHWINN
Herald Correspondent

HEBER CITY — The Utah Division of Parks and Recreation (DPR) still plans to develop a multiple-use recreational corridor along the Provo River, between Jordanelle Dam and Deer Creek Reservoir, and a Wasatch County landowner's committee still hopes it will remain just a fishing stream.

Wasatch County Commissioner Moroni Besendorfer, chairman of the committee, reported last week that the CUP Completion Act provides \$110 million for environmental projects, including development of the river parkway, and the Bureau of Reclamation plans to buy all the property needed for access to river by Oct. 1, even if it has to be condemned.

The bureau is building the parkway with the federal funds, then will turn it over to DPR to manage. Although bureau officials indicate they would prefer to only rehabilitate the river fishery and limit activities to fishing, Dee Hansen, State Division of Natural Resources director, insists it wouldn't be worth it to police and maintain the corridor just for fishing. He has made it clear that if the parkway isn't opened up for multiple use, the state won't accept responsibility for it.

The consensus of the committee is that the river should be restored to the way it was 100 years ago, and left that way, and that no pri-

vate property should be taken. To compromise, they are asking for as little property as possible to be taken; for livestock to be allowed on the river enough to continue farm operations; and for use to be limited to fishing, or a minimum of additional activity.

They are also asking for the corridor to be left as natural as possible, with minimal access points.

They strongly object to the division's proposal to purchase enough riverfront property to create a fenced corridor as wide as 1,000 feet in some places. Farmers particularly object to potential plans to ban livestock from the corridor, because the river bisects several farms and the ban would mean they would not be able to move their animals from one side of their property to the other. The purpose would be to protect Deer Creek Reservoir water quality, which provides culinary water for the Wasatch Front.

"And yet they'll allow thousands of people to do anything they want in (the reservoir) on weekends, and up the river," observed Paul Probst, another member of the committee.

Emer Wilson, one of the farmers with land on both sides of the river who has been fighting the multiple use proposal since it was first announced 10 years ago, said he learned on recent tours of the streambeds with state and federal officials that extensive changes in

"All those streams will become fisheries. We've got to realize when they're going to make a fishery out of a creek, they will want the right for fishermen to go through your property."

— Farmer Emer Wilson

the Provo River streambeds are being planned to rehabilitate it to its original state as a prime fishery, which will include restoring the meandering, making the channel deeper and narrower, and rebuilding spawning beds.

The problem is that Jordanelle water would have to be sent down the river at up to 600 cubic feet per second (cfs) to accommodate all the downstream water rights, but the rehabilitated fishery would be destroyed if the flow isn't kept between 125 and 300 cfs.

Since a large pipe, at least six feet in diameter, will be installed in the foothills along the east side of the Heber Valley, to distribute Jordanelle irrigation water to a valley-wide sprinkling system, the obvious solution would be to divert water from the pipe to the Lake Creek, Spring Creek, Center Creek streambeds, to transport it

across the valley to Deer Creek Reservoir for use downstream, Wilson said.

In addition, Wilson said Jordanelle water would be taken all the way to Daniels Creek, on the north side of the valley, which will be reduced from a stream to a small creek because water will no longer be diverted into the channel from the Strawberry drainage. He said the North Fields, which now are naturally flooded and require no irrigation, will become dry when Jordanelle Dam blocks off the water, so water also would be transported across that area. And Besendorfer said a channel would be run along the north side of the valley to carry Jordanelle water to Midway for irrigation and then into Snake Creek.

"All those streams will become fisheries. We've got to realize when they're going to make a fish-

ery out of a creek, they will want the right for fishermen to go through your property," Wilson said. "They're asking for the same thing at Snake Creek, Lake Creek, Spring Creek, Center Creek, Daniels Creek, and the North Fields, as along the Provo."

Although they probably wouldn't be fully developed as parkways, Wilson said livestock would be banned from the streams. Many farms straddle the creeks and those operations would be seriously affected if livestock could not cross the streams.

Besendorfer said the bureau can exercise its power of eminent domain and condemn what it needs if necessary.

"It's tied in with the whole (Jordanelle) project. We've tried to fight it, and stop it. But we've never been able to get hold of an attorney yet that would tell us we could," said Besendorfer.

Wilson said he thought access along all the streams except the Provo could be acquired by buying property from willing sellers rather than condemnation.

There is a remote possibility that a corridor up to 2,000-feet wide could be taken to rehabilitate the Provo River. One proposed rehabilitation alternative would be to "remove all levees ... relocate levees outside of 1,000 to 2,000 feet wide in the stream corridor."

The levees are riprap that keep the riverbanks intact and would be

moved back so the river could just meander its own way through the widened channel.

"That's the one that would kill us...It would just wipe us out," said Besendorfer.

"There's a lot of money to be used, and it will be used, whether we like it or whether we don't," he said. "There will be willing sellers and the land is going to disappear..."

"I don't think each one of us can fight this alone. We need to pool our resources and put together whatever we need to do."

"We need to keep our tax base in place. We need to keep the impact as insignificant as we can in the county so it doesn't upset the livelihood and operation of ranchers," said Besendorfer.

Besendorfer said public input has become an important part of every CUP project and public hearings are required by the Completion Act. He said as he sits in the planning meetings, he notices officials are listening to the county's concerns, which they didn't do three years ago. He said they are aware of the landowner's committee and that has been a real plus.

However, committee members noted that it is common for government agencies to hold public hearings, record, study and respond to questions raised by the people, and then proceed as planned, without incorporating any of the ideas or solving any of the problems.

DPR still plans Provo River parkway in Wasatch County

23 Apr 1997
By SONNI SCHWINN
Herald Correspondent

HEBER CITY — The Utah Division of Parks and Recreation (DPR) still plans to develop a multiple-use recreational corridor along the Provo River, between Jordanelle Dam and Deer Creek Reservoir, and a Wasatch County landowner's committee still hopes it will remain just a fishing stream.

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The bureau is building the parkway with the federal funds, then will turn it over to DPR to manage. Although bureau officials indicate they would prefer to only rehabilitate the river fishery and limit activities to fishing, Dee Hansen, State Division of Natural Resources director, insists it wouldn't be worth it to police and maintain the corridor just for fishing. He has made it clear that if the parkway isn't opened up for multiple use, the state won't accept responsibility for it.

The consensus of the committee is that the river should be restored to the way it was 100 years ago, and left that way, and that no pri-

vate property should be taken. To compromise, they are asking for as little property as possible to be taken; for livestock to be allowed on the river enough to continue farm operations; and for use to be limited to fishing, or a minimum of additional activity.

They are also asking for the corridor to be left as natural as possible, with minimal access points.

They strongly object to the division's proposal to purchase enough riverfront property to create a fenced corridor as wide as 1,000 feet in some places. Farmers particularly object to potential plans to ban livestock from the corridor, because the river bisects several farms and the ban would mean they would not be able to move their animals from one side of their property to the other. The purpose would be to protect Deer Creek Reservoir water quality, which provides culinary water for the Wasatch Front.

"And yet they'll allow thousands of people to do anything they want in (the reservoir) on weekends, and up the river," observed Paul Probst, another member of the committee.

Emer Wilson, one of the farmers with land on both sides of the river who has been fighting the multiple use proposal since it was first announced 10 years ago, said he learned on recent tours of the streambeds with state and federal officials that extensive changes in

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the Provo River streambed are being planned to rehabilitate it to its original state as a prime fishery, which will include restoring the meandering, making the channel deeper and narrower, and rebuilding spawning beds.

The problem is that Jordanelle water would have to be sent down the river at up to 600 cubic feet per second (cfs) to accommodate all the downstream water rights, but the rehabilitated fishery would be destroyed if the flow isn't kept between 125 and 300 cfs.

Since a large pipe, at least six feet in diameter, will be installed in the foothills along the east side of the Heber Valley, to distribute Jordanelle irrigation water to a valley-wide sprinkling system, the obvious solution would be to divert water from the pipe to the Lake Creek, Spring Creek, Center Creek streambeds, to transport it

across the valley to Deer Creek Reservoir for use downstream, Wilson said.

In addition, Wilson said Jordanelle water would be taken all the way to Daniels Creek, on the north side of the valley, which will be reduced from a stream to a small creek because water will no longer be diverted into the channel from the Strawberry drainage. He said the North Fields, which now are naturally flooded and require no irrigation, will become dry when Jordanelle Dam blocks off the water, so water also would be transported across that area. And Besendorfer said a channel would be run along the north side of the valley to carry Jordanelle water to Midway for irrigation and then into Snake Creek.

"All those streams will become fisheries. We've got to realize when they're going to make a fish-

ery out of a creek, they will want the right for fishermen to go through your property," Wilson said. "They're asking for the same thing at Snake Creek, Lake Creek, Spring Creek, Center Creek, Daniels Creek, and the North Fields, as along the Provo."

Although they probably wouldn't be fully developed as parkways, Wilson said livestock would be banned from the streams. Many farms straddle the creeks and those operations would be seriously affected if livestock could not cross the streams.

Besendorfer said the bureau can exercise its power of eminent domain and condemn what it needs if necessary.

"It's tied in with the whole (Jordanelle) project. We've tried to fight it, and stop it. But we've never been able to get hold of an attorney yet that would tell us we could," said Besendorfer.

Wilson said he thought access along all the streams except the Provo could be acquired by buying property from willing sellers rather than condemnation.

There is a remote possibility that a corridor up to 2,000-feet wide could be taken to rehabilitate the Provo River. One proposed rehabilitation alternative would be to "remove all levees ... relocate levees outside of 1,000 to 2,000 feet wide in the stream corridor."

The levees are riprap that keep the riverbanks intact and would be

moved back so the river could just meander its own way through the widened channel.

"That's the one that would kill us...It would just wipe us out," said Besendorfer.

"There's a lot of money to be used, and it will be used, whether we like it or whether we don't," he said. "There will be willing sellers and the land is going to disappear..."

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"We need to keep our tax base in place. We need to keep the impact as insignificant as we can in the county so it doesn't upset the livelihood and operation of ranchers," said Besendorfer.

Besendorfer said public input has become an important part of every CUP project and public hearings are required by the Completion Act. He said as he sits in the planning meetings, he notices officials are listening to the county's concerns, which they didn't do three years ago. He said they are aware of the landowner's committee and that has been a real plus.

However, committee members noted that it is common for government agencies to hold public hearings, record, study and respond to questions raised by the people, and then proceed as planned, without incorporating any of the ideas or solving any of the problems.

DPR still plans Provo River parkway in Wasatch County

23 Apr 1992

By SONNI SCHWINN
Herald Correspondent

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Parkway plans in Heber Valley taking shape

By SONNI SCHWINN
Herald Correspondent

HEBER CITY — Members of the team designing the parkway for the Provo River corridor between Jordanelle Dam and Deer Creek Reservoir presented some of their general plans for the project and answered questions recently during a public hearing in the Heber City Council room.

Because of a misunderstanding, some citizens and team members met at the Wasatch County Commission room, so another public meeting will be scheduled.

Terry Green, state Division of Parks and Recreation (DPR) planning coordinator, said project consultants are identifying "what kind of concepts would work along the river that would cause the minimal impact on the environment as well as be able to be as easily accommodated by the private property owners as possible."

He said the consultants have

completed about 50 percent of their studies and hope to be ready to present a rough draft of specific alternatives to the public by Dec. 1. The studies cover detailed research of vegetation, soil, wildlife, and wetlands.

Most important, the sinuosity or meandering of the river is being studied, to identify its original route across the Heber Valley, before the 1930s when it was first bulldozed to accommodate irrigation diversions. The goal is to return it to as close to its original path as possible and restore it as a blue ribbon fishery.

The extent of the restoration will be limited by the amount of money available, especially considering that large parcels of land may have to be purchased to restore wide bends in the river, and that irrigation dikes will have to be accommodated or replaced. In addition, water rights have to be considered and protected.

Paul Summers, of J. M. Mont-

gomery Engineering, the consulting firm overseeing the CUP water studies presently taking place in the Heber Valley, including the river studies, said the river will not be totally returned to its original route where certain "untouchables" are now located like sewage ponds, main roads and railroad tracks, residential structures and farm buildings, the new wetland park being built at the foot of the Jordanelle Dam, and diversion structures for the north fields.

Green said study teams are using a new computer technology called Geographic Information System (GIS). The size, texture, and color of components that are being studied, like wetlands, can be programmed into the computer as overlays onto a map of the area.

"You can see where you have dramatic problems or dramatic opportunities," he said.

Another important value of the GIS is that it will be made up of

sound, scientific, original data that can be used if an environmental study is required. Green said a document that met Environmental Protection Agency requirements was prepared a few years ago. But if the plans for the corridor are not the same as they were at that time, or there is new environmental information, another study may be required that could take up to two years.

At various times during the past several years, DPR officials and representatives of the U.S. Bureau of Reclamation, which is building the parkway with federal Jordanelle project funds, have indicated they would immediately begin purchasing property for the river parkway, but none has been acquired so far.

Green said the DPR is still committed to managing the corridor, although other options are still open and someone else could take over. He said the DPR hasn't

changed its opinion that firearms and motorized vehicles should be banned from the parkway. He said mountain biking and equestrian use probably will be limited.

Seven possible sites along the river are already owned by the federal government for flood control. Access for handicapped people also must be provided, but not necessarily along the entire length of the parkway, he said.

Green said the park corridor may be as wide as 400 yards across some flood plains, but only about 200 yards wide in other areas. He said livestock owners with land on both sides of the river may not be able to move their animals from one side to the other during certain seasons, especially during high water flows. He said he doubted bridges would be built for livestock to cross the river, but Summers assured the farmers that access to drinking water for their animals won't be eliminated.